

§ 646.705 What are the reporting requirements for the INA WtW program?

Grantees are required to submit both quarterly and annual reports covering program activity and financial expenditures. Two forms have been approved by OMB for INA WtW reporting. A modified version of the Standard Form (SF) 269A (ETA 9069-1) shall be used to report financial expenditures. A Participation and Characteristics Report (PCR) (ETA 9069) shall be used to report program activity and participant characteristics.

§ 646.710 Are tribes operating a TANF program required to report INA WtW activities under TANF as well?

Yes. Pursuant to the requirements of section 411 of the Social Security Act, INA WtW grantees who are TANF tribes shall report INA WtW activities under the TANF program, in addition to submitting the INA WtW reports cited above. However, tribes operating a NEW program and an INA WtW program, but not their own TANF program, are exempt from the reporting requirements described in section 411 of the Social Security Act.

Subpart H—Waivers and Performance Standards

§ 646.800 Are statutory waivers allowable under the INA WtW program?

Yes. The Secretary of Labor may waive or modify any provision of section 403(a)(5)(C) [except for clause (vii) thereof, related to the deadline for expenditure of funds] of the Social Security Act, which are otherwise applicable to INA WtW grantees. Accordingly, the Secretary may waive the statutory requirements relating to client eligibility for services, allowable activities, and spending limits. Any waiver(s) requested must demonstrate how the waiver, if granted, will increase the efficiency or effectiveness of the program. Waivers may be requested at any time, and shall be effective as of the date indicated in the approval letter. Grantees must specify and support each provision to be waived.

§ 646.805 What are the performance measures tribes have to meet under the INA WtW program?

The Secretary has determined that the most important measures of the tribe's performance are the number of participants entering unsubsidized employment, the duration of that employment, and the increase in their earnings. Grant applicants will be required to submit planned outcome figures with their INA WtW plans. These planned outcomes will be compared against reported outcomes in the tribe's annual report. In addition, INA WtW grantees must negotiate in good faith with the Secretary of DHHS with respect to the substance and funding of any evaluation under section 413(j) of the Social Security Act, and must cooperate with the conduct of any such evaluation.

Subpart I—Miscellaneous Provisions and Requirements

§ 646.900 May a tribe combine its INA WtW grant with other employment and training programs under Pub. L. 102-477, the Indian Employment, Training and Related Services Demonstration Act of 1992?

Yes. All grants awarded under the INA WtW program are formula-funded, so any INA WtW grant funds awarded to a tribe can therefore be included in a consolidated plan authorized by Public Law 102-477. For those tribes already participating in the "477" demonstration effort, application for an INA WtW grant will take the form of a "477 plan" modification submitted to the lead agency responsible for the "477" program.

§ 646.905 What are the other Federal laws which must be followed by INA WtW grantees?

All otherwise applicable Federal statutes, including those dealing with equal employment opportunity, workplace safety, employment standards, treatment of individuals with disabilities, age discrimination, and civil rights, must be followed by all INA WtW fund recipients.